UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,529	01/23/2002	Valentine C. Krzyzaniak	1878-1-3	4333

		EXAMINER
7590	11/16/2004	PANNALA, SATHYANARAYA R

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ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 January 2002</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The Application 10/056529 filed on 1/23/2002 has been examined. Claims 1-5

are pending in this Office Action.

Priority

2.   Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

However, the provisional application 60/265439 filed on 1/30/2001 upon which priority is

claimed fails is in compliance and has been considered by the examiner.

Specification

3.   The specification in the application objected because "The Field of Invention" is

missing and the "Background of the Information" is very short and not informative. See

the following guidelines:

Background of the Invention: See MPEP § 608.01(c). The specification should set forth the

Background of the Invention in two parts:

      (1)   Field of the Invention: A statement of the field of art to which the invention pertains.

              This statement may include a paraphrasing of the applicable U.S. patent

              classification definitions of the subject matter of the claimed invention. This item may

              also be titled "Technical Field."

      (2)   Description of the Related Art including information disclosed under 37 CFR 1.97 and

              37 CFR 1.98: A description of the related art known to the applicant and including, if

              applicable, references to specific related art and problems involved in the prior art

which are solved by the applicant's invention. This item may also be titled

"Background Art."

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5.   Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Polizzi et

al. (6,643,661).

6.   As per independent claim 1, Polizzi teaches an enterprise-wide computer system

using a portal architecture to be connected to a wide variety of different computers

within the enterprise to allow users to retrieve a variety of contents from different

databases (col. 1, lines 53-64). The portal system converts user request in standard

format into database format and vice versa while returning the data and report to the

user col.2, lines 1-5). Polizzi teaches the claimed "receive at least one user-selected

parameter related to the information to be extracted from the PIA file" as the user's

instructions (examiner assumes instructions contain parameters) (Fig. 1, 5, col. 4, 16,

lines 5-6 and lines 43-48). Further, Polizzi teaches the claimed "receive the PIA

formatted file" as the portal system receives the user instructions in standard format

(Fig. 1, col. 4, lines 5-8). Further, Polizzi teaches the claimed "convert the PIA file to a

file format suitable for extraction of information based upon the user-selected

parameter" as user instructions are converted into commands (Fig. 1, col. 4, lines 5-8).

Further, Polizzi teaches the claimed "extract information from the converted PIA file

based on the user-selected parameter" as the portal system extracts the data and

reports from the back-end databases based on the user's instructions and converts in

standard form (Fig. 1, col. 4, lines 8-11). Finally, Polizzi teaches the claimed "expose

the extracted information" as the portal system provides output reports to a user (Fig. 1,

col. 4, lines 11-13).

7.   As per dependent claim 2, Polizzi teaches the claimed "the extracted information

is exposed a computer process that uses statistical algorithms to discover patterns and

correlations in the extracted information" as the portal system 120 processes the uses

the data obtained from the databases and processes to provide as reports and for

example, weekly report on manufacturing statistics for the enterprise (Fig. 2, col. 6,

lines 38-42).

8.   As per independent claim 3, Polizzi teaches an enterprise-wide computer system

using a portal architecture to be connected to a wide variety of different computers

within the enterprise to allow users to retrieve a variety of contents from different

databases (col. 1, lines 53-64). The portal system converts user request in standard

format into database format and vice versa while returning the data and report to the

user col.2, lines 1-5). Polizzi teaches the claimed step of "receiving at least one user-

selected parameter related to the information to be extracted from the PIA file" as the

user's instructions (examiner assumes instructions contain parameters) (Fig. 1, 5,

col. 4, 16, lines 5-6 and lines 43-48). Further, Polizzi teaches the claimed step of

"receiving the PIA formatted file" as the portal system receives the user instructions in

standard format (Fig. 1, col. 4, lines 5-8). Further, Polizzi teaches the claimed step of

"converting the PIA file to a file format suitable for extraction of information based upon

the user-selected parameter" as user instructions are converted into commands (Fig. 1,

col. 4, lines 5-8). Further, Polizzi teaches the claimed step of "extracting information

from the converted PIA file based on the user-selected parameter" as the portal system

extracts the data and reports from the back-end databases based on the user's

instructions and converts in standard form (Fig. 1, col. 4, lines 8-11). Finally, Polizzi

teaches the claimed step of "exposing the extracted information" as the portal system

provides output reports to a user (Fig. 1, col. 4, lines 11-13).

9.   As per dependent claim 4, Polizzi teaches the claimed step of "the extracted

information is exposed to a computer process that uses statistical algorithms to discover

patterns and correlations in the extracted information" as the portal system 120

processes the uses the data obtained from the databases and processes to provide as

reports and for example, weekly report on manufacturing statistics for the enterprise

(Fig. 2, col. 6, lines 38-42).

10.   As per independent claim 5, Polizzi teaches an enterprise-wide computer system

using a portal architecture to be connected to a wide variety of different computers

within the enterprise to allow users to retrieve a variety of contents from different

databases (col. 1, lines 53-64). The portal system converts user request in standard

format into database format and vice versa while returning the data and report to the

user col.2, lines 1-5). Polizzi teaches the claimed "a processor" as the service broker

125 controls access to the portal system 120 and also provides session management

services for users (Fig. 1, col. 9, lines 54-57). Further, Polizzi teaches the claimed "a

memory storage device coupled to the processor for maintaining the PIA file and the

user-selected parameter" as the repository 235 is a computer storage memory device

within the portal system (Fig.2-3, col. 10, lines 47-50). Further, Polizzi teaches "receive

at least one user-selected parameter related to the information to be extracted from the

PIA file" as the user's instructions (examiner assumes instructions contain parameters)

(Fig. 1, 5, col. 4, 16, lines 5-6 and lines 43-48). Further, Polizzi teaches the claimed

"receive the PIA formatted file" as the portal system receives the user instructions in

standard format (Fig. 1, col. 4, lines 5-8). Further, Polizzi teaches the claimed convert

the PIA file to a file format suitable for extraction of information based upon the user-

selected parameter" as user instructions are converted into commands (Fig. 1, col. 4,

lines 5-8). Further, Polizzi teaches the claimed "extract information from the converted

PIA file based on the user-selected parameter" as the portal system extracts the data

and reports from the back-end databases based on the user's instructions and converts

in standard form (Fig. 1, col. 4, lines 8-11). Finally, Polizzi teaches the claimed "expose

the extracted information" as the portal system provides output reports to a user (Fig. 1,

col. 4, lines 11-13).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sathyanarayan Pannala whose telephone number is

(571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for

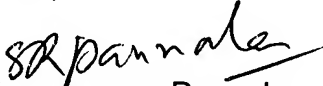the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

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Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sathyanarayan Pannala
Examiner
Art Unit 2167

srp